

Before the  
Federal Communications Commission  
Washington, D.C. 20554

RECEIVED

APR - 3 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

)

)

Administration of the

)

North American Numbering Plan

)

CC Docket No. 92-237

Carrier Identification Codes (CICs)

)

DOCKET FILE COPY ORIGINAL

**REPLY COMMENTS OF AMERITECH TO  
FURTHER NOTICE OF PROPOSED RULEMAKING**

Ameritech files its Reply Comments in response to the Commission's Further Notice of Proposed Rulemaking and Order (FNPRM) released in this matter on October 9, 1997. In the FNPRM, the Commission seeks comment on tentative rules governing the use and assignment of Carrier Identification Codes (CICs).

In its Comments, Ameritech urges the Commission not to adopt formal rules governing assignment and use of CICs. Ameritech is concerned that rigid rules could constrain innovation and the ability of industry to promptly respond to changing consumer needs. Rather, Ameritech proposes that the Commission sanction continued use of the existing CIC Assignment Guidelines.

Although, Ameritech believes that several of the Commission's tentative conclusions in the FNPRM have merit, it recommends that they not be adopted before they are fully analyzed

No. of Copies rec'd  
List ABCDE

0+11

through a rigorous industry forum process. However, Ameritech agrees with the Commission that the Commission should adopt Rules that formalize CIC usage reporting and reclamation requirements. Commission Rules are necessary in this area in order to provide the enforcement powers necessary to ensure that reasonable conservation measures are followed.

In all, ten parties filed Comments in this case.<sup>1</sup> Commenters include representation from the telecommunications industry segments that are affected by CICs, including incumbent LECs, interexchange carriers and a cellular carrier. Several parties join Ameritech in proposing that the current CIC Assignment Guidelines continue to be used, and that several of the Commission's tentative conclusions in the NPRM be analyzed for potential incorporation into those guidelines.<sup>2</sup> Most parties also support, in concept, reasonable CIC usage reporting and conservation.<sup>3</sup> Ameritech recommends that the Commission adopt these positions.

In these Reply Comments, Ameritech will not re-argue issues it already fully addressed in its Comments. Rather, Ameritech will focus the Comments of other parties that are different from or supplemental to Ameritech's proposals. In particular, Ameritech will provide input on several proposals that it believes should be more fully analyzed and possibly incorporated into the CIC Assignment Guidelines.

---

<sup>1</sup> Four incumbent LECs - Ameritech, BellSouth, GTE Service Corporation and U.S. West; Four Interexchange Carriers - Americatel Corporation, AT&T, IXC Long Distance, Inc., and MCI, One wireless Carrier - PrimeCo, and lastly as directed by the FCC, the North American Numbering Council (NANC) filed recommendations.

<sup>2</sup> For example, Ameritech agrees with the Commission (¶¶23-27) that the ambiguity in the term "entity" should be eliminated, although the impact on future demand of elimination of the "control" condition should be fully considered. Another issue is the ability of carriers to retain CICs in excessive of the established maximums they acquire through acquisitions and mergers (¶36). Ameritech agrees that this rule may give certain carriers a competitive advantage and should be examined. Other issues that should be explored are the Feature Group D requirement (¶17), special use CICs (¶20), CIC sharing (¶32), opening CICs in blocks (¶41) and assignment of CICs from the entire pool (¶42).

<sup>3</sup> See, Americatel p. 6; AT&T pp. 14, 17; GTE p. 8; and IXCLD p. 4.

**A. MODIFICATION OF THE CIC ASSIGNMENT GUIDELINES SHOULD BE CONSIDERED THROUGH INC.**

---

In its Comments, Ameritech proposes that modification of the CIC Assignment Guidelines continue to be considered through an industry forum that is open to all members of the industry, and operates under aegis of the Commission through a well documented consensus process. Ameritech supports BellSouth's position that the Industry Numbering Committee (INC) is such a body and can best perform the function of analyzing and adopting modifications to the CIC Assignment Guidelines.<sup>4</sup> INC is an industry forum that is open to all industry members and operates using a consensus process that requires agreement by all parties. Moreover, INC has dealt with numbering issues for many years and, in fact, developed the CIC Assignment Guidelines.

Ameritech further agrees with BellSouth that modification of the CIC Assignment Guidelines should not be handled by the North American Numbering Council (NANC).<sup>5</sup> Although NANC managed the development of its recommendations in this proceeding through an open industry working group under a consensus process, there is no assurance that it will continue to voluntarily utilize such procedures.

**B. THE CURRENT LIMIT OF SIX CICS PER ENTITY SHOULD BE RE-APPLIED PENDING A THOROUGH REVIEW.**

---

BellSouth recommends that the total number of CICS that may be assigned to an entity should be reviewed.<sup>6</sup> Ameritech agrees that once the conversion to the new 4-digit CIC format is

---

<sup>4</sup> BellSouth p. 3.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

completed, the current conservative limit of 2 CICs per should be expanded.<sup>7</sup> Ameritech also agrees with AT&T that the industry should not artificially preserve the 4-digit code format for as long as possible by placing unreasonable restrictions on the number of CICs that may be assigned. For that reason, Ameritech supports initial re-establishment of the limit of six codes per entity that is provided for in the CIC Assignment Guidelines, pending further action by INC. This approach strikes an appropriate balance between conserving this numbering resource and having an adequate supply of CIC available for assignment to each entity.<sup>8</sup>

GTE recommends that a maximum limit of .05% of the total available CIC or fifty CICs<sup>9</sup> be placed on CICs that any one entity might acquire through mergers or acquisition. Ameritech agrees that the concept of limiting the number of additional CICs that an entity may acquire and hold through mergers and acquisition has merit, and is necessary to prevent the possibility that one or more entities may hoard an excessive number of CICs and thereby precipitate premature CIC exhaust. However, the precise limit should be thoroughly analyzed to determine the number that are truly needed by carriers that are merging or acquiring other carriers, and the impact of the limit on future CIC exhaust. For these reasons, the Commission should refer this issue to INC as a formal issue for analysis, rather than adopt it as a Rule without the benefit of the thorough review that results from the use of the industry forum process.

---

<sup>7</sup> See, also, AT&T p. 12; BellSouth p. 3; GTE p. 8; US West p. 3.

<sup>8</sup> See, AT&T at 16.

<sup>9</sup> GTE p. 8-9.

**C. CICs SHOULD PRIMARILY BE USED TO ROUTE ACCESS TRAFFIC.**

Ameritech agrees with BellSouth that, as provided in the CIC Assignment Guidelines, CICs should be used primarily by access providers to route access traffic (intraLATA and interLATA toll presubscription), to bill for access traffic, and by end users for “dial around” to allow connectivity to carriers to which they are not presubscribed.<sup>10</sup> But, Ameritech proposes that other potential uses not be automatically pre-authorized or precluded, but rather be analyzed through the industry forum consensus process as potential amendments to the guidelines. However, Ameritech agrees with Americatel Corporation (Americatel) that CICs should not generally be used for non-access purposes that are “non-public or non-competitive in nature.”<sup>11</sup> Thus, additional uses of CICs should be authorized where the industry has identified a specific need that cannot be reasonably met through other means, and there is a consensus that the need is valid and does not pose a threat of prematurely depleting the supply of CICs.

**D. THREE-DIGIT CICs SHOULD BE PHASED-OUT ON SCHEDULE.**

Americatel Corporation<sup>12</sup> believes that enough issues remain open that the elimination of 3-digit CICs should be delayed. Ameritech disagrees. There is no valid reason to delay the elimination of 3-digit CICs any further, and such a delay in ending the transition to 4-digit CICs could, in fact, prove harmful to some carriers and their customers. Americatel has not cited a single compelling argument that refutes the Commission’s finding that it “should end the transition as soon as practicable to lessen any negative effects of the disparity that exists during the

---

<sup>10</sup> BellSouth at 6. See, also Americatel at 5 who proposes that all other uses be “prohibited.”

<sup>11</sup> Americatel at 5.

<sup>12</sup> *Id.* at 7.

transition.<sup>13</sup> This is to say -- carriers with 3-digit CICs have a dialing advantage over carriers that only have 4-digit CICs. Further, for technical reasons, the vast majority of 4-digit CICs are not available for assignment until 3-digit CICs are no longer in use. Thus, the continued use of 3-digit CICs means that CICs will continue to be in very short supply.

**E. CIC CONSERVATION REMAINS IMPORTANT.**

In its Comments, Ameritech argued that CIC conservation will remain important even after the completion of the conversion to 4-digit CICs, since the number of CICs is still not infinite (10,000) and CIC conversions are very costly and disruptive for customers. Thus, Ameritech joins most other parties who also believe that reasonable conservation measures should continue to be followed even after the completion of the transition to 4-digit CICs in order to help ensure that CIC exhaust does not occur prematurely.<sup>14</sup>

IXC Long Distance, Inc. (IXCLD) states its Comments that it costs anywhere from \$5 to \$15 per customer to transfer customers to new CICs.<sup>15</sup> IXCLD did not supply facts to support this claim, therefore Ameritech can neither confirm nor deny these cost figures. However, it is clear that significant costs are associated with converting customers to a new CIC; the only question is the magnitude of those cost. As such, IXCLD's Comments illustrate Ameritech's point that CIC conversions are expensive and disruptive, and that CIC conservation remains important. The type of data provided by IXCLD should prove useful in the cost/benefit analysis that should be used to assess the appropriate limit on the number of CICs that should be assigned

---

<sup>13</sup> Administration of North American Numbering Plan Carrier Identification Codes (CICs), CC Docket No. 92-237, Second Report and Order, released April 11, 1997 at ¶32.

<sup>14</sup> See, for example, Americatel p. 6; AT&T pp. 14, 17; GTE p. 8; IXCLD p. 4.

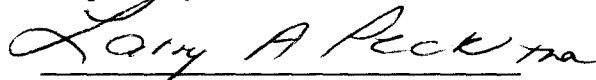
<sup>15</sup> IXCLD at 2-4.

to each entity, and whether the industry should reclaim excessive and idle CICs or again expand the resource.

**F. CONCLUSION.**

For the above reasons, the Commission should affirm that the CIC Assignment Guidelines should remain in effect until modified by INC, should refer its question and tentative conclusions in the FNPRM to INC for a thorough analysis, and should adopt Rules requiring reasonable CIC usage reporting and conservation.

Respectfully submitted,

A handwritten signature in dark ink, reading "Larry A. Peck". The signature is written in a cursive style with a horizontal line underneath the name.

Larry A. Peck  
Counsel for Ameritech  
Room 4H86  
2000 West Ameritech Center Drive  
Hoffman Estates, IL 60196-1025  
(847) 248-6074

Dated: April 3, 1998  
[LAP0160.doc]

CERTIFICATE OF SERVICE

I, Todd H. Bond, do hereby certify that a copy of the foregoing Reply Comments of Ameritech to Further Notice of Proposed Rulemaking has been served on the parties listed on the attached service list, via first class mail, postage prepaid, on this 3rd day of April, 1998.

By: Todd H. Bond  
Todd H. Bond



GLENN B MANISHIN  
COUNSEL FOR MCI TELECOMMUNICATIONS  
CORP  
1615 M STREET NW SUITE 700  
WASHINGTON DC 20036

DONNA M ROBERTS  
SENIOR COUNSEL  
MCI TELECOMMUNICATIONS CORP  
1801 PENNSYLVANIA AVE NW  
WASHINGTON DC 20006

KATHRYN MARIE KRAUSE  
ATTORNEY FOR  
US WEST INC  
SUITE 700  
1020 19<sup>TH</sup> STREET NW  
WASHINGTON DC 20036

MARK C ROSENBLUM  
ROY E HOFFINGER  
JUDY SELLO  
AT&T CORP  
ROOM 324511  
295 NORTH MAPLE AVENUE  
BASKING RIDGE NJ 07920

GARY L MANN  
ASSISTANT GENERAL COUNSEL  
REGULATORY AFFAIRS  
IXC LONG DISTANCE INC  
1122 CAPITAL OF TEXAS HWY SOUTH  
AUSTIN TX 78746

WILLIAM L ROUGHTON JR  
ASSOCIATE GENERAL COUNSEL  
PRIMECO PERSONAL COMMUNICATIONS LP  
601 13<sup>TH</sup> STREET NW SUITE 320 SOUTH  
WASHINGTON DC 20005

FRANK K PETERSON  
ATTORNEY FOR  
AMERICATEL CORPORATION  
2100 PENNSYLVANIA AVE NW SUITE 400  
WASHINGTON DC 20037

RICHARD MCKENNA  
GTE SERVICE CORPORATION  
HQE03J36  
P O BOX 152092  
IRVING TX 75015-2092

GAIL L POLIVY  
ATTORNEY FOR  
GTE SERVICE CORPORATION  
SUITE 1200  
1850 M STREET NW  
WASHINGTON DC 20036

M ROBERT SUTHERLAND  
THEODORE R KINGSLEY  
ATTORNEY FOR  
BELLSOUTH CORPORATION  
SUITE 1700  
1155 PEACHTREE STREET NE  
ATLANTA GA 30309-3610